

TOWNSHIP OF WEST BRADFORD
ORDINANCE 91-06

AN ORDINANCE AMENDING THE TOWNSHIP OF WEST BRADFORD
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, 76-12,
ADOPTED DECEMBER 1976, AS AMENDED; BY DELETING
CERTAIN SECTIONS AND ADDING CERTAIN SECTIONS.

BE IT AND IT HEREBY IS ORDAINED, by the Board of Supervisors
of West Bradford Township, Chester County, Pennsylvania, that
the following shall be an amendment to the Subdivision and
Land Development Ordinance of West Bradford Township known
as Ordinance 76-12, as amended.

SECTION I

The following changes or additions, and/or deletions
shall be made to the Subdivision and Land Development
Ordinance as noted herein:

(Note page numbers are listed for reference only)

Page 8 Section 201 Definition

STREET

- a.1 "Single Access Street" - Change "No more than
25 lots" to " No more than 20 lots".
Add after the words "...20 lots". Having a
length, as measured from the edge of the
existing right-of-way of the through street,
no greater than 1000 feet.
- a.2 Add after "...vehicle turn-around". Including
any street that contains a loop or circles
back to itself.

Page 10 Section 301 - General procedure

- c. Open Space-Recreation. Any subdivision or Land
Development plan proposal that is required to
provide open space or recreation or will include
any open space or recreation proposal must first
be presented, by the applicant, to the Township
Recreation Commission for review. This can occur
simultaneously with the sketch plan review by the
Planning Commission. Submission of the sketch plan
to the Recreation Commission will follow the re-
quirements as found in Section 302 of the Subdivision
and Land Development Ordinance. A failure to follow
this procedure should be deemed a failure to comply
with the open space requirements found in section
508.

Page 11 Section 302 - Sketch Plan

c.3. The applicant shall furnish four copies of the sketch, to the Recreation Commission, when required by Section 301 C, which copies shall include address and telephone numbers of an agent who may be contacted regarding the sketch plan.

Page 12 Section 303 - Preliminary Plan

a.2. Delete twelve (12) and replace with fifteen (15). After the sentence ending in "...these regulations." add the following: Including proof of notice of the proposed subdivision, to each adjacent property owner, of record.

Page 13 Section 303 - Preliminary Plan

Add the following:

a.4.(h) One (1) copy of the plan to each member of the Board of Supervisors.

Page 14 Section 303 b - Preliminary Plan Approval

Paragraph 3.c. - Delete this paragraph in its entirety.

Page 15 Section 304 - Final Plan

a.2. Delete twelve (12) and replace with fifteen (15). After the sentence ending in "... these regulations." add the following: Including proof of notice, of the proposed subdivision, to each adjacent property owner, of record.

Page 15 Section 304 - Final Plan

Add the following:

a.5.(h) One (1) copy of the plan to each member of the Board of Supervisors.

Page 17 Section 304 b - Final Plan Approval

Paragraph 3.c. - Delete this paragraph in its entirety.

Page 18 Section 306 - Release From Improvement Board

Delete this section in its entirety.

Page 19 Section 307 - Effect of Ordinance Change Upon Approved Plan
Delete this section in its entirety.

Page 24 Section 402 - Preliminary Plan Requirements

Add the following:

- c.13 Proof of notice to each adjacent property owner, of record (certified mail receipt).

Page 24 Section 402 - preliminary Plan Requirements

Add the following:

- c.14 Application for subdivision or land development whether preliminary or final, shall include any and all requests for waivers or modifications to the minimum standards of the ordinance. Each request for waiver or modification shall cite the ordinance section and state the waivers or modification that is requested. Each request shall detail the reason that it is believed that regulation would cause undue hardship or when an alternative standard can be demonstrated to provide equal or better results. The burden of proof shall be the responsibility of the applicant.

The Planning Commission shall review these request and make recommendations to the Board of Supervisors regarding the appropriateness of the modification or waiver.

Page 24 Section 402 - Preliminary Plan Requirements

Add the following:

- c.15 Public water supply study as required by Section 607.C.

Page 29 Section 404 - Final Plan Requirement

Add the following:

- d.16 Proof of notice to each adjacent property owner, of record (certified mail receipt).

If the final plan submission was preceded by preliminary plan approval and notification was made at the preliminary plan submission than notice does not have to be repeated.

Page 29 Section 403 - Final Plan Requirement

Add the following:

- d.17 Application for subdivision or land development whether preliminary or final, shall include any and all requests for waivers or modifications to the minimum standards of the ordinance. Each request for waiver or modification shall cite the ordinance section and state the waivers or modifications that is requested. Each request shall detail the reason that it is believed that regulation would cause undue hardship or when an alternative standard can be demonstrated to provide equal or better results. The burden of proof shall be the responsibility of the applicant.

The Planning Commission shall review these request and make recommendations to the Board of Supervisors regarding the appropriateness of the modification or waiver.

Page 37 Section 503 - Streets

Section 503.1 Systems

- f. Add after "...appropriate local authorities".

The applicant shall contact the post master that is responsible for delivery to that area for approval of the road name. After post master approval the road name must be submitted to the Township for approval.

Page 38 Section 503.3

Add a new sentence.

- f. Private streets shall have a 50 foot wide right-of-way, have a minimum width of 16 feet and be constructed in accordance with the design standards for public streets.

Page 40 Section 503.4

Add a new sentence

- e. "Except that short intervals (not exceeding 150 feet in length) may exceed seven (7%) percent, but not be more than ten (10%) percent.

Page 42 Section 508 - Public Facilities and Open Space

- c. Fourth sentence delete "Planning Commission replace with Recreation Commission.

Page 43 Last paragraph second sentence delete "Planning Commission" replace with Recreation Commission. Add a comma after the word "Township" followed by the word "The".

Page 46 Section 604.2

- d. Delete the second sentence and add the following:
When a through street is approached by a side street, there shall be a leveling area for a minimum length of 75 feet, measured from the intersection of the curb lines or edge of cartway, within this leveling area the grade shall not exceed four (4%) percent.

Page 47 Section 604.5 - Widths

- a. Minimum street and cartway widths shall be as follows:

Change the width of cartway for a connecting street to 28'.

Change the width of cartway for a collector street to 28'.

Change the width of cartway for an arterial street to 36'.

Eliminate the asterisk and asterisk section that states, "the developer is required only to build the first twenty-eight (28') feet of the required cartway width".

Page 48 Section 604.5b

- Add the following:
3. When a subdivision fronts on an existing street having a width less than the minimum required by this ordinance the increased width of this road, as measured from the physical centerline of the road, shall be 1/2 the minimum required width of road. The road widening shall be along the entire frontage of the subdivision abutting the street.

Page 48 Section 604.6 - Materials

Delete the existing and add the following:

"Streets shall be constructed on compacted subgrade and shall have the following minimum requirements".

- a. Geotextile fabric

- b. Stone base shall be 3A crushed stone aggregate with screenings having a minimum thickness of 8".
- c. Base course shall consist of 2" of ID-2 bituminous binder base course materials.
- d. Wearing course shall consist of 1" of ID-2 bituminous wearing course material.
- e. All construction shall conform to PennDot Form 408 Specifications.

Page 60 Section 608.1
Change the storm frequency from 10 year to 100 year frequency.

Page 60 Section 609 d.1.
Change the design storm frequency for a storm collection system to the following:

25 years, except when storm sewers are being used to convey stormwater runoff to detention basins they shall be designed for the 100 year frequency storm.

Page 60 Section 609 d.2.
Change the word shales to swales and change the design frequency to 100 years.

Page 63 Section 609.3.e-2
Add the following:
The "Modified Rational Method" may be used for watersheds less than 20.0 acres in size. When using either of the above methods the 10 year post-development flow shall be designed so that it is released at the 2 year pre-development rate of flow.

Page 76 Section 706 L
Delete the existing section and add the following:
All mobile homes shall have a four (4) inch concrete patio at least eight (8') feet by ten (10') feet in size which shall be immediately contiguous to an entrance of the home or a wood deck built in compliance with the West Bradford Township building code may be interchanged with the concrete patio.

Page 84 Section 803 - Penalties

Delete the entire section and replace it with the following:

Any person, partnership or corporation who or which has violated the provisions of this subdivision or land development ordinance or prior ordinances shall upon being found liable therefor in a civil enforcement proceeding commenced by the municipality, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof. No judgement shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgement pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

SECTION II

REPEALER: All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION III

SEVERABILITY: If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION IV

EFFECTIVE DATE: This ordinance shall be effective immediately upon enactment.

ENACTED AND ORDAINED THIS 10th DAY OF September 1991.

ATTEST:

James H. Hines
Secretary

BY THE BOARD OF SUPERVISORS
TOWNSHIP OF WEST BRADFORD

John A. Haines
Chairman

Keith E. Hines
Vice-Chairman

John A. Haines
Board Member